

RECEIVED  
CENTRAL FAX CENTER

OCT 19 2004

**DUFT SETTER OLLILA & BORNSSEN LLC**

Intellectual Property Law Firm

2060 BROADWAY, SUITE 300  
BOULDER, CO 80302  
PHONE 303-938-9999  
FACSIMILE 303-938-9995

**FACSIMILE TRANSMISSION**

DATE: October 19, 2004

FROM:

Michael J. Setter, Reg. 37,936

TELEPHONE: (303) 938-9999 ext. 13

NUMBER OF PAGES (including this page):

10

EMAIL: msetter@dsoblaw.com

TO:

TELEPHONE:

Mailstop: Amendment  
Commissioner for Patents  
United States Patent and  
Trademark Office

RE:

FAX: (703) 872-9306

Application No. 10/751,168  
Filed: 12/31/2003  
Art Unit: 2857  
Examiner: Felix E. Suarez  
Inv.: Karl L. King  
Docket No. 27441.002

**MESSAGE** Attached are the following:

1. Transmittal (one page);
2. Response to the Office Action dated August 24, 2004, (8 pages).

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL 303-938-9999

THIS TELECOPY IS INTENDED ONLY FOR THE USE OF THE PERSON TO WHOM IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.


PTO/SB/21 (04-04)

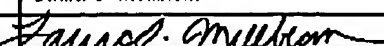
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/751,188; Confirmation No. 3397	
	Filing Date	12/31/2003	
	First Named Inventor	Karl L. King	
	Art Unit	2857	
	Examiner Name	Felix E. Suarez	
Total Number of Pages in This Submission	8	Attorney Docket Number	27441.002

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):		
<table border="1"><tr><td>Remarks</td></tr><tr><td>It is believed that no fees are due in this matter. However, if it is determined that fees are due, the Commissioner is authorized to debit Deposit Account No. 502622 for the required fees.</td></tr></table>			Remarks	It is believed that no fees are due in this matter. However, if it is determined that fees are due, the Commissioner is authorized to debit Deposit Account No. 502622 for the required fees.
Remarks				
It is believed that no fees are due in this matter. However, if it is determined that fees are due, the Commissioner is authorized to debit Deposit Account No. 502622 for the required fees.				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Michael J. Setter, Reg. 37,936
Signature	
Date	10/19/04

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Laura S. Mellblom		
Signature		Date	10/19/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

OCT 19 2004

Practitioner's Docket No. 27441.002

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Karl L. King

Application No.: 10/751,168

Filed: 12/31/2003

For: Classification of Deviations in a Process

Group No.: 2857

Examiner: Felix E. Suarez

**Mailstop: AMENDMENT**

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

**Response to Office Action**

**Introductory Comments**

In response to the Office Action dated August 24, 2004, please enter this amendment and consider the following remarks.